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UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MISSOURI EASTERN DIVISION

CANDICE ELIZABETH KAUFMAN,)	
Plaintiff,)	
v.)	Case No. 4:21-CV-01289-SPM
KILOLO KIJAKAZI, Acting Commissioner of Social Security,)	
recting Commissioner of Social Security,)	
Defendant.)	

MEMORANDUM AND ORDER

This case is before the Court on Acting Commissioner Kilolo Kijakazi's ("the Commissioner's") Motion to Reverse and Remand this case to the Commissioner for further administrative action pursuant to sentence four of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g). (Doc. 16). The deadline for Plaintiff to file a response has expired. The parties have consented to the jurisdiction of the undersigned United States Magistrate Judge pursuant to 28 U.S.C. § 636(c)(1). (Doc. 8).

On October 27, 2021, Plaintiff filed a Complaint seeking review of the Commissioner's decision that Plaintiff was not under a disability within the meaning of the Social Security Act. (Doc. 1). The Commissioner filed the transcript of the administrative proceedings on February 25, 2022. (Doc. 12). Plaintiff filed a brief in support of the complaint on March 28, 2022. (Doc. 13).

On May 12, 2022, the Commissioner filed the instant motion to reverse and remand the case to the Commissioner for further action under sentence four of section 205(g) of the Social Security Act, which permits the Court "to enter, upon the pleadings and transcript of the record, a judgment affirming, modifying, or reversing the decision of the Commissioner, with or without

remanding the cause for a rehearing." 42 U.S.C. § 405(g). The Commissioner represents in her motion that upon review of the record, agency counsel determined that remand was necessary for further evaluation of Plaintiff's claim concerning medical improvement. The Commissioner states:

On remand, the Appeals Council will direct the Administrative Law Judge to re-evaluate whether the claimant actually experienced medical improvement and whether the claimant's disability ceased in accordance with the eight-step sequential evaluation process articulated at 20 C.F.R. § 404.1594 and 416.994. In particular, the Administrative Law Judge shall further evaluate whether the claimant experienced medical improvement compared to the record available at the October 23, 2013, comparison point date. The Appeals Council will remind the Administrative Law Judge to consult POMS DI 24503.050 and HALLEX I-5-3-30 when evaluating the opinion evidence of record.

Def.'s Mot., at 1-2.

Upon review of Plaintiff's brief in support of the complaint, the ALJ's decision, and the Commissioner's motion, the Court agrees with the parties that this case should be reversed and remanded pursuant to sentence four of 42 U.S.C. § 405(g). Accordingly,

IT IS HEREBY ORDERED that the Commissioner's Motion to Reverse and Remand (Doc. 16) is GRANTED.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that decision of the Commissioner of Social Security is **REVERSED** and that this case is **REMANDED** under Sentence Four of 42 U.S.C. § 405(g) for reconsideration and further proceedings consistent with this opinion.

SHIRLEY PADMORE MENSAH

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UNITED STATES MAGISTRATE JUDGE

Dated this 7th day of June, 2022.